

SDNY (Rev. 10/2006) Pro Hac Vice Motion to Admit Counsel

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

International Business Machines Corp. Plaintiff,

- against -

Platform Solutions, Inc. Defendant.

6 cv 13565 (ScB)

MOTION TO ADMIT COUNSEL

PRO HAC VICE

FILED
U.S. DISTRICT COURT
2007 JAN 17 P 3:48
S.D. OF N.Y.

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the

Southern and Eastern Districts of New York, I, David C. Marcus a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of

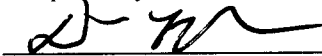
Applicant's Name: Ryan C. Kirkpatrick
Firm Name: SUSMAN GODFREY L.L.P.
Address: 1901 Avenue of the Stars, Suite 950
City/State/Zip: Los Angeles, CA 90067
Phone Number: (310) 789-3100
Fax Number: (310) 789-3150

Ryan C. Kirkpatrick is a member in good standing of the Bar of the States of California (2006) (SB#243824) USDC ·CD of CA (2006) ·

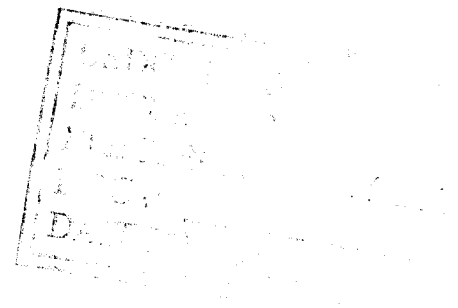
There are no pending disciplinary proceeding against Ryan C. Kirkpatrick in any State or Federal court.

Dated: JANUARY 12, 2007
City, State: Los Angeles, CA 90067

Respectfully submitted,



Sponsor's
SDNY Bar DM4759
Firm Name: SUSMAN GODFREY L.L.P.
Address: 1901 Avenue of the Stars, Suite 950
City/State/Zip: Los Angeles, CA 90067
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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

INTERNATIONAL BUSINESS MACHINES
CORPORATION,

Plaintiff,

vs.

PLATFORM SOLUTIONS, INC.,

Defendant.

Civil Action No. 06 cv 13565

**ORDER FOR ADMISSION PRO HAC
VICE ON WRITTEN MOTION**

Upon the motion of David C. Marcus attorney for defendant Platform Solutions, Inc. and
said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Ryan C. Kirkpatrick
Susman Godfrey L.L.P.
1901 Avenue of the Stars, Suite 950
Los Angeles, CA 90067
Telephone: (310) 789-3100
Facsimile: (310) 789-3150
Email Address: rkirkpatrick@susmangodfrey.com

is admitted to practice pro hac vice as counsel for defendant Platform Solutions, Inc. in the above
captioned case in the United States District Court for the Southern District of New York. All
attorneys appearing before this Court are subject to the Local Rules of this Court, including the
Rules governing discipline of attorneys. If the action is assigned to the Electronic Case Filing
(ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov.
Counsel shall forward the pro hac vice fee to the Clerk of the Court.

Dated: January 4, 2007

United States District/Magistrate Judge



THE
STATE BAR
OF CALIFORNIA

180 HOWARD STREET
SAN FRANCISCO, CALIFORNIA 94105-1639
TELEPHONE (415) 538-2000

December 28, 2006

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, RYAN CHRISTOPHER KIRKPATRICK, #243824 was admitted to the practice of law in this state by the Supreme Court of California on July 26, 2006; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

J. Robert McPhail
Custodian of Membership Records

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

INTERNATIONAL BUSINESS MACHINES
CORPORATION,

Plaintiff,

vs.

PLATFORM SOLUTIONS, INC.,

Defendant.

Civil Action No. 06 cv 13565

**AFFIDAVIT OF DAVID C. MARCUS IN
SUPPORT OF MOTION TO ADMIT
COUNSEL PRO HAC VICE**

David C. Marcus, being duly sworn, hereby deposes and says as follows:

1. I am a partner in the firm of Susman Godfrey and one of the attorneys for Platform Solutions, Inc., defendant in the above captioned action, I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of defendant's motion to admit Ryan C. Kirkpatrick as counsel pro hac vice to represent defendant in this matter.
2. I am a member in good standing of the bar of the (State of New York), and was admitted to practice law in July 1987. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known Ryan C. Kirkpatrick since 2005.
4. Mr. Kirkpatrick is an associate in our Los Angeles office of Susman Godfrey.
5. I have found Mr. Kirkpatrick to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Civil Procedure.
6. Accordingly, I am pleased to move the admission of Ryan Kirkpatrick, pro hac vice.

7. I respectfully submit a proposed order granting the admission of Ryan C.

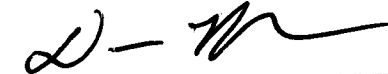
Kirkpatrick, pro hac vice, which is attached hereto as Exhibit A.

WHEREFORE it is respectfully requested that the motion to admit Ryan C. Kirkpatrick, pro hac vice, to represent defendant in the above captioned matter, be granted.

Dated: January 11, 2007

Respectfully submitted,

By:




David C. Marcus

SDNY Bar Code: DM4759

Notarized:

State of California)
) ss.
County of Los Angeles)

Subscribed and sworn to before me on this 11 day of January, 2007.



CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document AFFIDAVIT OF DAVID C. MARCUS IN SUPPORT OF MOTION TO ADMIT COUNSEL PRO HAC VICE has been served on this 17th day of JANUARY, 2007, via first class mail to:

QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP

Richard I. Werdner, Jr.

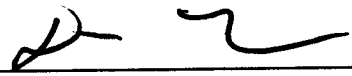
51 Madison Avenue, 22nd Floor

New York, New York 10010

Telephone: (212) 849-7000

Attorneys for Plaintiff

International Business Machines Corporation


A handwritten signature, appearing to be "R. Werdner", is written over a horizontal line.